

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

EARL DAVID WORDEN

CIVIL ACTION NO. 1:18-cv-00983

VERSUS

UNASSIGNED DISTRICT JUDGE

DONALD WEATHERFORD, ET AL

MAGISTRATE JUDGE PEREZ-MONTES

MOTION TO STAY PROCEEDINGS

The CITY OF PINEVILLE, DONALD WEATHERFORD (individually and in his official capacity as Chief of Police of Pineville), and JAMES EVANS (individually and as Patrol Officer for Pineville), through undersigned counsel, herein move this Court to stay this civil proceeding during the pendency of parallel state criminal proceedings concerning the same facts of arrest made the subject of this civil suit. Counsel for Plaintiff, EARL DAVID WORDEN, consents to this motion. No appearance has been made or counsel enrolled for the remaining defendant, RUFUS JONES.

Attached in support of this Motion are:

- (A) Ruling of Pineville City Court;
- (B) Appeal by Plaintiff to the 9th Judicial District Court; and
- (C) Emails by Plaintiff's counsel agreeing to stay.

WHEREFORE, the CITY OF PINEVILLE, DONALD WEATHERFORD, and JAMES EVANS, pray that this civil suit be stayed until the criminal charges against the plaintiff in state court have been resolved, either through a plea, conviction, or dismissal. Defendants reserve all rights to file Rule 12 Motions, answers and any other pleadings allowed by the Federal Rules of Civil Procedure.

Respectfully submitted,
KEISER LAW FIRM, P.L.C.

By: /s Randall. B. Keiser
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*Counsel for City of Pineville, Chief
Donald Weatherford & Officer James
Evans*

C E R T I F I C A T E

I hereby CERTIFY that a copy of the above and foregoing pleading has been served upon all counsel of record via the CM-ECF system on this the 17th day of October, 2018.

/s Randall B. Keiser
OF COUNSEL